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UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT  
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 IN THE MATTER OF THE  
14 EXTRADITION OF

15 DOUGLAS WAYNE SCHNEIDER,

16 A fugitive from the  
Government of Canada.

No. SA CV 14-00592-RT (AN)

[PROPOSED] CERTIFICATE OF  
EXTRADITABILITY AND ORDER OF  
COMMITMENT

[18 U.S.C. § 3184]

20 The Court has received the Complaint for Arrest with a View  
21 Towards Extradition filed on February 26, 2014, by United States  
22 Attorney's Office for the Central District of California, for  
23 and on behalf of the Government of Canada ("Canada"), pursuant  
24 to Canada's request for the provisional arrest and extradition  
25 of the fugitive, Douglas Wayne Schneider ("Schneider"). The  
26 Court has also received an Affidavit of Consent to Extradition  
27 ("Affidavit") executed by Schneider and witnessed by his  
28 attorney in these proceedings, Cuauhtemoc Ortega.

1 On April 23, 2014, Schneider appeared before the Court in  
2 open session, accompanied by his attorney. The Court addressed  
3 Schneider and is satisfied that he is aware of his rights as set  
4 forth in the Affidavit and that the Affidavit was executed  
5 knowingly and voluntarily.

6 Inasmuch as Schneider has conceded that he is extraditable  
7 on the charges for which extradition was requested, and has  
8 consented to a certification by this Court to that effect, and  
9 has further consented to remain in the custody of the United  
10 States Marshal pending the arrival of agents from the requesting  
11 state to transfer him to the requesting state, the Court finds  
12 on the basis of the record herein and the representations of  
13 Schneider and counsel that:

14 1. The undersigned judicial officer is authorized under  
15 Title 18, United States Code, Section 3184, to conduct an  
16 extradition hearing.

17 2. The Court has personal jurisdiction over Schneider and  
18 subject matter jurisdiction over the case.

19 3. There is currently in force an extradition treaty  
20 between the Government of the United States of America and the  
21 Government of Canada, U.S.-Canada, Dec. 3, 1971, 27 U.S.T. 983,  
22 TIAS No. 8237 (the "Extradition Treaty"), which was amended in  
23 part by the Protocol Amending the Extradition Treaty with Canada  
24 of January 11, 1988, which entered into force on November 26,  
25 1991 (the "1988 Protocol"); and by the Second Protocol Amending  
26 the Extradition Treaty with Canada of January 12, 2001, which  
27 entered into force on April 30, 2003 (the "2001 Protocol").  
28

1           4.     Schneider has been charged by felony complaint in  
2 Alberta, Canada, with the following charges: 1) Trading in  
3 unregistered securities, in violation of Sections 75(1)(a)(ii)  
4 and 194 of the Securities Act (Alberta) RSA 2000, C. S-4 as  
5 amended ("Securities Act"); (2) Distributing securities without  
6 filing and receiving a receipt for a preliminary prospectus and  
7 prospectus from the Executive Director of the ASC, in violation  
8 of Sections 110 and 194 of the Securities Act; (3) Making a  
9 statement that was misleading or untrue, or failing to state a  
10 fact necessary to make a statement not misleading, regarding the  
11 use of investor funds, in violation of Sections 92(4.1) and 194;  
12 and (4) Securities fraud, in violation of Sections 93 and 194 of  
13 the Securities Act.

14           5.     The charged offenses are extraditable offenses under  
15 Article 2 of the Extradition Treaty, as replaced by Article I of  
16 the 1988 Protocol, which provides that extradition shall be  
17 granted for conduct that constitutes an offense punishable by  
18 the laws of both Canada and the United States by imprisonment or  
19 other form of detention for a term exceeding one year or any  
20 greater punishment.

21           6.     The requesting state seeks the extradition of  
22 Schneider so that he may be held to answer these charges.

23           7.     Schneider has stipulated that there is probable cause  
24 to believe that he committed the offenses for which extradition  
25 is sought.

26           Based on the foregoing findings, the Court concludes that  
27 Schneider is extraditable for the offense for which extradition  
28

1 was requested, and certifies this finding to the Secretary of  
2 State as required under 18 U.S.C. § 3184.

3 IT IS THEREFORE ORDERED that the Clerk of the Court shall  
4 deliver to the Assistant United States Attorney a certified copy  
5 of this Certification of Extraditability and the executed  
6 Affidavit of Consent to Extradition and, further, that the Clerk  
7 shall forward for the appropriate disposition certified copies  
8 of the same to the following persons: (1) Anna Cavnar, Office  
9 of the Assistant Legal Adviser for Law Enforcement and  
10 Intelligence, L/LEI, Department of State, 2201 C Street NW,  
11 Rm. 5419, Washington, D.C. 20520; and (2) Roman Chaban, Office  
12 of International Affairs, 1302 New York Ave. NW, Suite 800,  
13 Washington, DC 20530.

14 IT IS FURTHER ORDERED that Schneider be committed to the  
15 custody of the United States Marshal pending final disposition  
16 of this matter by the Secretary of State and arrival of agents  
17 of the requesting state, at which time Schneider, together with  
18 any evidence seized incidental to his arrest, will be  
19 transferred to the custody of the agents of the requesting state  
20 at such time and place as mutually agreed upon by the United  
21 States Marshal and the duly authorized representatives of Canada  
22 to be transported to that country.

23 SO ORDERED.

24  
25 Dated:\_\_\_\_\_

\_\_\_\_\_  
Honorable Arthur Nakazato  
United States Magistrate Judge  
Central District of California